

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

DEC 13 2018

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

BY
DEPUTY _____

UNITED STATES OF AMERICA

v.

MIGUEL ANGEL AVENDANO FLORES (01) and
ANICETO SAUCEDO ALCARAZ (02)

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NO. 6:18-CR-75
Judge JDK/JDL

INDICTMENT

THE UNITED STATES GRAND JURY CHARGES:

Count One

Violation: 21 U.S.C. § 846
(Conspiracy to possess with intent to
distribute and distribute a mixture or
substance containing a detectable amount
of cocaine)

Beginning by at least on or about November 1, 2018, and continuing thereafter
until on or about the date of this indictment, in the Eastern District of Texas and
elsewhere, **Miguel Angel Avendano Flores** and **Aniceto Saucedo Alcaraz**, defendants
herein, did knowingly, intentionally, and unlawfully, combine, conspire, and confederate
with each other and with others, both known and unknown to the United States Grand
Jury, to violate a law of the United States, to-wit, 21 U.S.C. § 841(a)(1), prohibiting the
possession with intent to distribute and distribution of a mixture or substance containing a
detectable amount of cocaine, its salts, optical and geometric isomers, and salts of
isomers, a Schedule II controlled substance,

In violation of 21 U.S.C. § 846.

Count Two

Violation: 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2 (Possession with intent to distribute cocaine, aiding and abetting)

On or about November 7, 2018, in Smith County, Texas, in the Eastern District of Texas, the defendants, **Miguel Angel Avendano Flores** and **Aniceto Saucedo Alcaraz**, aided and abetted by each other, knowingly and intentionally possessed with intent to distribute a mixture or substance containing cocaine, its salts, optical and geometric isomers, and salts of its isomers, a Schedule II controlled substance,

In violation of 21 U.S.C. §§ 841(a)(1) and 18 U.S.C. § 2.

Count Three

Violation: 21 U.S.C. § 841(a)(1)
(Possession with intent to distribute cocaine)

On or about November 18, 2018, in Smith County, Texas, in the Eastern District of Texas, the defendant, **Miguel Angel Avendano Flores**, knowingly and intentionally possessed with intent to distribute a mixture or substance containing cocaine, its salts, optical and geometric isomers, and salts of its isomers, a Schedule II controlled substance,

In violation of 21 U.S.C. § 841(a)(1).

Count Four

Violation: 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2 (Possession with intent to distribute cocaine, aiding and abetting)

On or about November 28, 2018, in Smith County, Texas, in the Eastern District of Texas, the defendants, **Miguel Angel Avendano Flores** and **Aniceto Saucedo Alcaraz**, aided and abetted by each other, knowingly and intentionally possessed with intent to distribute a mixture or substance containing cocaine, its salts, optical and geometric isomers, and salts of its isomers, a Schedule II controlled substance,

In violation of 21 U.S.C. §§ 841(a)(1) and 18 U.S.C. § 2.

NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE

Pursuant to 21 U.S.C. § 853 and 28 U.S.C. § 2461(c)

As the result of committing one or more of the foregoing offenses alleged in this indictment, the defendants herein shall forfeit to the United States, pursuant to 21 U.S.C. § 853, and 28 U.S.C. § 2461(c):

1. any property constituting, or derived from, and proceeds the defendants obtained, directly or indirectly, as the result of such violations;
2. any of the defendants' property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violations, and/or;
3. any and all firearms, ammunition and accessories seized from the defendants, including but not limited to the following:

Cash Proceeds:

A sum of money equal to \$20,000 in United States currency and all interest and proceeds traceable thereto, representing the amount of proceeds obtained by the defendants as a result of the offense(s) alleged in this indictment, for which the defendants are personally liable.

Substitute Assets:

If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with a third person;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property, including but not limited to all property, both real and personal owned by the defendants.

By virtue of the commission of the offenses alleged in this indictment, any and all interest the defendants have in the above-described property is vested in the United States and hereby forfeited to the United States pursuant to 21 U.S.C. § 853, and 28 U.S.C. § 2461(c).

A TRUE BILL

12/13/18
Date

MAF
GRAND JURY FOREPERSON

JOSEPH D. BROWN
UNITED STATES ATTORNEY

Alan R. Jackson for
ALAN R. JACKSON
Assistant United States Attorney

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NOTICE OF PENALTY

Counts One through Four

Violation:

21 U.S.C. § 846 and 21 U.S.C. § 841(a)(1)

Penalty:

If less than 500 grams of a mixture or substance containing a detectable amount of cocaine, its salts, optical or geometric isomers, or salts of its isomers – imprisonment for a term of not more than 20 years; a fine not to exceed \$1,000,000, or both; and a term of supervised release of at least 3 years.

If this violation was committed after a prior conviction for a felony drug offense has become final, not more than 30 years' imprisonment; a fine not to exceed \$2,000,000, or both; and a term of supervised release of at least 6 years.

Special Assessment:

\$100.00